

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ROSALIO BENITEZ, on Behalf of Himself and
Others Similarly Situated,

Plaintiff,

V.

KEMORON INTERNATIONAL, INC.
D/B/A HUNAN RIVER BISTRO CUISINE
AND YUXIA SUN,

Defendants.

CIVIL ACTION NO. 4:06-cv-182

JURY TRIAL DEMANDED

JOINT NOTICE OF SETTLEMENT

The parties have reached a settlement. Therefore, the parties respectfully request a conditional dismissal with a right to seek reinstatement if the settlement cannot be completed within 60 days. A proposed order is attached.

Respectfully submitted,

BRUCKNER BURCH PLLC

/S/ Richard J. Burch

By: _____

Richard J. Burch
State Bar No. 24001807
S.D. of Tex. No. 21615

5847 San Felipe, Suite 3900
Houston, Texas 77057
(713) 877-8788 (Telephone)
(713) 877-8065 (Telecopier)
Attorney-In-Charge for Plaintiff

LIN & VALDEZ L.L.P

/S/ Alfred Valdez by permission

By: _____

Alfred Valdez
State Bar No. 20426200
S.D. of Tex. No. 6389

7400 Harwin, Suite 320
Houston, TX 77036
(713) 339-4200 (Telephone)
(713) 339-3299 (Telecopier)
Attorney-In-Charge for Defendants

CERTIFICATE OF CONFERENCE

I personally discussed this matter with defense counsel - Alfred Valdez. The parties agree that this case has been settled and should be conditionally dismissed (with 60 days to move for reinstatement).

/S/ Richard J. Burch

Richard J. Burch

CERTIFICATE OF SERVICE

A true and correct copy of the foregoing was served upon counsel of record on April 14, 2006.

/S/ Richard J. Burch

Richard J. Burch

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ROSALIO BENITEZ, on Behalf of Himself and]	
Others Similarly Situated,]	
]	CIVIL ACTION NO. 4:06-cv-182
<i>Plaintiff,</i>]	
]	
v.]	
]	
KEMORON INTERNATIONAL, INC.]	
D/B/A HUNAN RIVER BISTRO CUISINE]	
AND YUXIA SUN,]	
]	JURY TRIAL DEMANDED
<i>Defendants.</i>]	
_____]	

ORDER

On the parties' joint motion, this case is DISMISSED without prejudice to either side moving to reinstate the matter within 60 days if the settlement cannot be consummated.

SIGNED at Houston, Texas this ____ day of _____, 2006.

VANESSA D. GILMORE
UNITED STATES DISTRICT JUDGE